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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/684,489	10/15/2003	Michael Shafir	25769	3498

7590 06/15/2005

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EXAMINER	
NGUYEN, HUNG T	

ART UNIT	PAPER NUMBER
2636	

DATE MAILED: 06/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	**Application No.** 10/684,489	**Applicant(s)** SHAFIR ET AL.	
	Examiner Hung T. Nguyen	**Art Unit** 2636	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 October 2003*.
2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-27* is/are pending in the application.
  4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-27* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on *15 October 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.
  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  a)☐ All b)☐ Some * c)☐ None of:
    1.☐ Certified copies of the priority documents have been received.
    2.☐ Certified copies of the priority documents have been received in Application No. _____.
    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
  Paper No(s)/Mail Date *10/15/2003*.
4) ☐ Interview Summary (PTO-413)
  Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 3 is objected to because limitations of "2-D or 3-D space" are not clear which must be spelled out.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lemelson et al (U.S. 6,487500).

Regarding claim 1, Lemelson discloses a vehicle (2) with satellite Global Position System (GPS) system (4) for determining the vehicle position on a highway (14) on a surface of the earth and alerting a driver of an impending significant event as hazard conditions / potential danger to a given vehicle [figs.1-3,13,19, col.11, lines 37-60, col.14, lines 45-53, col.17, lines 31-58, col.32, lines 42-64, col.34, lines 46-64] comprising:

- satellite Global Position System (GPS) system (4) communicates with GPS transceiver (34) , receiver (32) for determining the vehicle position on a highway (14) on a surface of the earth [figs.4,13,19, col.11, lines 37-60, col.21, line 65 to col.22, line 47];
- microprocessor and control circuits-31 communicates with the GPS transceiver (34) , receiver (32) and a control tower (10) as requesting highway data information which cover principal highway, roadway or entire metropolitan area, those data information are stored in a database / memory device [figs.3-4, col.16, line 58 to col.17, line 67, col.19, lines 44-67 and col.21, line 65 to col. 22, line 47];
- a control computer (38) coupled to microprocessor and control circuits-31, image analysis computer (50) for controlling the speed of the vehicle & providing more safety to the driver as minimize the accident on the highway, hazard conditions / potential danger to a given vehicle [figs.1-3,13,19, col.11, lines 51-67, col.14, lines 45-53, col.18, lines 28-43, col.20, lines 30 to col.21, line 6, col.33, lines 44-67 and col.34, lines 46-62];
- warning units (42,68,70) are provided to the driver (76) of the vehicle when the control computer (38) determining hazard conditions / potential danger on the highway / roadway (14) [figs.3,13-19, col.11, lines 51-60, col.20, lines 30-42, col.20, line 61 to col.21, line 36].

Although, the reference of Lemelson does not specifically mention terms as event determination unit and decision module as claimed by the applicant because those terms are not primary subject of the invention, that is an obvious design of the skilled artisan.

Therefore, it would have been obvious to one having ordinary skill in the art to employ the system of Lemelson includes a control computer (38) coupled to microprocessor and control circuits-31 and GPS system for controlling the speed of the vehicle & providing more safety to the driver as minimize the accident on the highway, hazard conditions / potential danger to a given vehicle.

Regarding claim 2, Lemelson discloses the satellite Global Position System (GPS) system (4) communicates with GPS transceiver (34), receiver (32) for determining the vehicle position on a highway (14) on a surface of the earth [figs.4,13,19, col.11, lines 37-60, col.21, line 65 to col.22, line 47].

Regarding claim 3, Lemelson discloses warning units (42,68,70) coupled to display unit (46) are provided to the driver (76) of the vehicle when the control computer (38) determining hazard conditions / potential danger on the highway / roadway (14) and video camera (54) suitable for generation of 3-Dimensional image information [figs.3, 5, col.20, line 61 to col.21, line 36 and col.22, line 54 to col.22, line 2].

Regarding claims 4-6, Lemelson discloses warning units (42,68,70) coupled to display unit (46) and video camera (54) suitable for generation of 3-Dimensional image information are updated at all time by wireless technology [figs.3, 5, col.20, line 61 to col.21, line 36 and col.22, line 54 to col.22, line 2].

Regarding claim 7, Lemelson discloses warning units (42,68,70) coupled to display unit (46) are provided to the driver (76) of the vehicle when the control computer (38) determining hazard conditions / potential danger on the highway / roadway (14) and video camera (54) suitable for generation of 3-Dimensional image information by wireless signal technology [figs.3, 5, col.20, line 61 to col.21, line 36 and col.22, line 54 to col.22, line 2].

Regarding claim 8-11, Lemelson discloses the vehicle (2) with satellite Global Position System (GPS) system (4) for determining the vehicle position on a highway (14) on a surface of the earth and alerting a driver of an impending significant event as hazard conditions / potential danger to a given vehicle [figs.1-3,13,19, col.11, lines 37-60, col.14, lines 45-53, col.17, lines 31-58, col.32, lines 42-64, col.34, lines 46-64]; and

- the control computer (38) coupled to microprocessor and control circuits-31, image analysis computer (50) for controlling the speed of the vehicle & providing more safety to the driver as minimize the accident on the highway, hazard conditions / potential danger to a given vehicle [figs.1-3,13,19, col.11, lines 51-67, col.14, lines 45-53, col.18, lines 28-43, col.20, lines 30 to col.21, line 6, col.33, lines 44-67 and col.34, lines 46-62];

Regarding claims 12-14, Lemelson discloses warning units as warning message (42), horn control (68), warning light (70), head light control (66) coupled to display unit (46) are provided to the driver (76) of the vehicle when the control computer (38) determining hazard conditions / potential danger on the highway / roadway (14) and video camera (54) suitable for generation of 3-Dimensional image information [figs.3, 5, col.20, line 61 to col.21, line 36 and col.22, line 54 to col.22, line 2].

Regarding claims 15-21, Lemelson discloses a vehicle (2) with satellite Global Position System (GPS) system (4) for determining the vehicle position on a highway (14) on a surface of the earth and alerting a driver of an impending significant event as hazard conditions / potential danger to a given vehicle [figs.1-3,13,19, col.11, lines 37-60, col.14, lines 45-53, col.17, lines 31-58, col.32, lines 42-64, col.34, lines 46-64]; and

- the microprocessor and control circuits-31 communicates with the GPS transceiver (34), receiver (32) and a control tower (10) as requesting highway data information **which cover principal highway, roadway or entire metropolitan area including road markers, speed markers and so on, those data information are stored in a database / memory will be transmitted to the driver as demand** [figs.3-4, col.16, line 58 to col.17, line 67, col.32, lines 20-63 and col.33, lines 44-67].

Regarding claims 22-24, Lemelson discloses a vehicle (2) with satellite Global Position System (GPS) system (4) for determining the vehicle position on a highway (14) on a surface of the earth and alerting a driver of an impending significant event as hazard conditions / potential danger to a given vehicle [figs.1-3,13,19, col.11, lines 37-60, col.14, lines 45-53, col.17, lines 31-58, col.32, lines 42-64, col.34, lines 46-64] comprising:

- satellite Global Position System (GPS) system (4) communicates with GPS transceiver (34), receiver (32) for determining the vehicle position on a highway (14) on a surface of the earth [figs.4,13,19, col.11, lines 37-60, col.21, line 65 to col.22, line 47];
- microprocessor and control circuits-31 communicates with the GPS transceiver (34), receiver (32) and a control tower (10) as requesting highway data information which cover principal highway, roadway or entire metropolitan area, those data information are stored in a **database /** memory device [figs.3-4, col.16, line 58 to col.17, line 67, col.19, lines 44-67 and col.21, line 65 to col. 22, line 47];

- a control computer (38) coupled to microprocessor and control circuits-31, image analysis computer (50) for controlling the **speed** of the vehicle & **providing more safety to the driver as minimize the accident on the highway, hazard conditions / potential danger to a given vehicle** [figs.1-3,13,19, col.11, lines 51-67, col.14, lines 45-53, col.18, lines 28-43, col.20, lines 30 to col.21, line 6, col.33, lines 44-67 and col.34, lines 46-62];
- warning units (42,68,70) are provided to the driver (76) of the vehicle when the control computer (38) determining hazard conditions / potential danger on the highway / roadway (14) [figs.3,13-19, col.11, lines 51-60, col.20, lines 30-42, col.20, line 61 to col.21, line 36].

Although, the reference of Lemelson does not specifically mention terms as event determining an instantaneous location and current parameters as claimed by the applicant because those terms are not primary subject of the invention, that is an obvious design of the skilled artisan.

Therefore, it would have been obvious to one having ordinary skill in the art to employ the system of Lemelson includes a control computer (38) coupled to microprocessor and control circuits-31 and GPS system for **controlling the speed** of the vehicle & providing more safety to the driver as minimize the accident on the highway, hazard conditions / potential danger to a given vehicle.

Regarding claims 25-27, Lemelson discloses a vehicle (2) with satellite Global Position System (GPS) system (4) for determining the vehicle position on a highway (14) on a surface of the earth and alerting a driver of an impending significant event as hazard conditions / potential danger to a given vehicle [figs.1-3,13,19, col.11, lines 37-60, col.14, lines 45-53, col.17, lines 31-58, col.32, lines 42-64, col.34, lines 46-64]; and

- the microprocessor and control circuits-31 communicates with the GPS transceiver (34) , receiver (32) and a control tower (10) as requesting highway data information **which cover principal highway, roadway or entire metropolitan area including road markers, speed markers and so on, those data information are stored in a database / memory will be transmitted to the driver as demand** [figs.3-4, col.16, line 58 to col.17, line 67, col.32, lines 20-63 and col.33, lines 44-67].

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Breed et al. (U.S. 6,370,075) Accident avoidance system.
- Cong (U.S. 6,420,997) Track map generator.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung T. Nguyen whose telephone number is (571) 272-2982. The examiner can normally be reached on Monday to Friday from 8:00am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hofsass, Jeffery can be reached on (571) 272-2981. The fax phone number for this Group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

HUNG NGUYEN
PRIMARY EXAMINER

Hungnguyen

Examiner: Hung T. Nguyen
Date: June 11, 2005